

This Page Is Inserted by IFW Operations
and is not a part of the Official Record

BEST AVAILABLE IMAGES

Defective images within this document are accurate representations of the original documents submitted by the applicant.

Defects in the images may include (but are not limited to):

- BLACK BORDERS
- TEXT CUT OFF AT TOP, BOTTOM OR SIDES
- FADED TEXT
- ILLEGIBLE TEXT
- SKEWED/SLANTED IMAGES
- COLORED PHOTOS
- BLACK OR VERY BLACK AND WHITE DARK PHOTOS
- GRAY SCALE DOCUMENTS

IMAGES ARE BEST AVAILABLE COPY.

**As rescanning documents *will not* correct images,
please do not report the images to the
Image Problem Mailbox.**

MCDERMOTT, WILL & EMERY
227 West Monroe Street
Chicago, Illinois 60606-5096
(312) 372-2000

Main Facsimile No. (312) 984-7700

Facsimile Assistance

Outgoing Faxes: (312) 984-2147

Incoming Faxes: (312) 984-2134

FACSIMILE

Date: October 21, 2003

Time Sent: _____

TO:

Name	Company	Facsimile No.	Contact No.
Examiner: Jermie E. Cozart, Art Unit: 3726	U.S. Patent and Trademark Office	703-746-4216	703-305-0126

FROM:

Stephen T. Scherrer

Direct Phone: (312) 984-7753

E-Mail:

Direct Fax: 312-372-2000

Sent By:

Kim Meinert

Direct Phone: 312-629-3986

Client/Matter/Tkpr: 47440-037-5683

Original Follow by Mail: No

Number of Pages, Including Cover: 18

Re: U.S. Patent Application No. 09/725,656

MESSAGE:

Examiner Cozart: I have attached a copy of the original response filed July 18, 2003 to the office action dated April 22, 2003 for U.S. Patent Application No. 09/725,656 entitled "Railcar Maintenance Process." Please call me at 312-984-7753 if you have any questions.

Best regards.

Stephen T. Scherrer (Reg. No. 45,080)

The information contained in this facsimile message is legally privileged and confidential information intended only for the use of the individual or entity named above. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution, or copy of this facsimile is strictly prohibited. If you have received this facsimile in error, please notify us immediately by telephone and return the original message to us at the above address by mail. Thank you.

**IF YOU DO NOT RECEIVE ALL OF THE PAGES, PLEASE CALL
KIM MEINERT AT 312-629-3986 AS SOON AS POSSIBLE.**

CHI99 4192668-1.047440.0037

Received from < > at 10/21/03 12:37:14 PM [Eastern Daylight Time]

Applicant: Barich, et al. Docket No. 47440-037000
 Title/Mark: Nuclear Maintenance Pliers Serial/Reg./Patent No. 09/725,656
 Date Sent: 07/18/2003 ☐ Hand Carried ☐ 1st-Class Mail ☐ Cert. of Mailing ☐ Express Mail No. _____
☒ Transmittal Letter (1 pp. in d.p.)
☐ Utility/Design/Continuation/CIP/FWC/Divisional/PCT
☐ Other: _____
 _____ pages of Specification
 _____ pages of Claims
 _____ pages of Abstract
 _____ pages of Formal/Informal Drawings
☐ Information Disclosure Statement
 Form PTO 1449
 _____ copies of cited references
☐ Preliminary Amendment
☐ Response to Missing Parts Notice
☐ Certified Copy of Priority Doc.
☐ Claim for Convention Priority
☐ Verified Statement of Small Entity Status
☐ Transmittal of Issue Fee: Form PTO 85b _____ Form PTO 85C _____
☐ Maintenance Fee for _____ years after grant
☐ Notice of Appeal ☐ Appeal Brief
☐ Recordation of _____ Patent _____ Trademark: Assignments/Security Agreements/
☒ Response/Amendment to Office Action of 09/24/2003 ☐ Petition to Commissioner for
 Other: Amendment (15 pp.) and return postcard

- ☐ Trademark/Service Mark/Intent-To-Use Application
☐ Amendment to Allege Use ☐ Statement of Use
☐ Formal/Informal/Substitute Drawing Sheet
 (no. of) Substitute/Specimens
☐ Continued Use Affidavit/Declaration (Section 8 & 15)
☐ Notice of Opposition/Answer to _____
☐ Ex Parte Appeal
☐ Petition for Cancellation/ Answer to _____
☐ Renewal of Reg. No. _____
☐ Combined Declaration/Power of Attorney
☐ Letter of Protest
☐ Request for _____-day/month Extension of Time

Check for \$ _____ ☐ Total Deposit Account charge for \$ _____ Attorney: STS/CN/H
CHI ☐ WASH STS

CLO2 Descrip.: _____
 THE PATENT AND TRADEMARK OFFICE DATE STAMPED HEREON IS ACKNOWLEDGEMENT THAT THE ITEMS, CHECKED ABOVE, WERE RECEIVED BY THE PTO ON THE DATE STAMPED.

Applicant: Barich, et al. Docket No. 47440-037000
 Title/Mark: Nuclear Maintenance Pliers Serial/Reg./Patent No. 09/725,656
 Date Sent: 07/18/2003 ☐ Hand Carried ☐ 1st-Class Mail ☐ Cert. of Mailing ☐ Express Mail No. _____
☒ Transmittal Letter (1 pp. in d.p.)
☐ Utility/Design/Continuation/CIP/FWC/Divisional/PCT
☐ Other: _____
 _____ pages of Specification
 _____ pages of Claims
 _____ pages of Abstract
 _____ pages of Formal/Informal Drawings
☐ Information Disclosure Statement
 Form PTO 1449
 _____ copies of cited references
☐ Preliminary Amendment
☐ Response to Missing Parts Notice
☐ Certified Copy of Priority Doc.
☐ Claim for Convention Priority
☐ Verified Statement of Small Entity Status
☐ Transmittal of Issue Fee: Form PTO 85b _____ Form PTO 85C _____
☐ Maintenance Fee for _____ years after grant
☐ Notice of Appeal ☐ Appeal Brief
☐ Recordation of _____ Patent _____ Trademark: Assignments/Security Agreements/
☒ Response/Amendment to Office Action of 09/24/2003 ☐ Petition to Commissioner for
 Other: Amendment (15 pp.) and return postcard

- ☐ Trademark/Service Mark/Intent-To-Use Application
☐ Amendment to Allege Use ☐ Statement of Use
☐ Formal/Informal/Substitute Drawing Sheet
 (no. of) Substitute/Specimens
☐ Continued Use Affidavit/Declaration (Section 8 & 15)
☐ Notice of Opposition/Answer to _____
☐ Ex Parte Appeal
☐ Petition for Cancellation/ Answer to _____
☐ Renewal of Reg. No. _____
☐ Combined Declaration/Power of Attorney
☐ Letter of Protest
☐ Request for _____-day/month Extension of Time

Check for \$ _____ ☐ Total Deposit Account charge for \$ _____ Attorney: STS/CN/H
CHI ☐ WASH STS

CLO2 Descrip.: _____
 THE PATENT AND TRADEMARK OFFICE DATE STAMPED HEREON IS ACKNOWLEDGEMENT THAT THE ITEMS, CHECKED ABOVE, WERE RECEIVED BY THE PTO ON THE DATE STAMPED.

CERTIFICATE OF MAILING

I hereby certify that this correspondence with attachments are being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Non-Fee Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

on July 18, 2003
 Date of Mailing
Stephen T. Scherrer
 Applicant, Assignor or Registered Representative
Signature
July 18, 2003
 Date of Signature

RESPONSE TO OFFICE ACTION TRANSMITTAL LETTER			ATTORNEY'S DOCKET NO. 47440-037000
APPL. NO. 09/725,656	FILED DATE November 29, 2000	EXAMINER J. Cozart	GROUP ART UNIT 3726
INVENTOR(S) Barich, et al.			
TITLE OF INVENTION Railcar Maintenance Process			

TO THE COMMISSIONER FOR PATENTS

Transmitted herewith is a response in the above-identified application to the Restriction Requirement of April 22, 2003

- ☐ Small entity status of this application under 37 CFR 1.27 has been established by a verified statement previously submitted.
- ☐ A verified statement to establish a small entry status under 37 CFR 1.9 and 1.27 is enclosed.
- ☐ A request for a ___-month extension of time is enclosed.
- ☒ No additional claim fee is required.
- ☐ The fee has been calculated as shown below:

	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NO. PREVIOUSLY PAID FOR	PRESENT EXTRA
TOTAL		MINUS		
INDEP.		MINUS		
FIRST PRESENTATION OF MULTIPLE DEP. CLAIM				

SMALL ENTITY

RATE	ADD'L FEE
x \$9 =	\$0
x \$42 =	\$0
x \$135 =	\$
TOTAL ADD'L FEE	\$

OTHER THAN A
SMALL ENTITY

RATE	ADD'L FEE
x \$18 =	\$
x \$84 =	\$
x \$270 =	\$
TOTAL ADD'L FEE	\$

- ☐ Please charge Deposit Account No. 13-0206 in the amount of \$00.00 for the Response to Office Action. A duplicate copy of this sheet is enclosed.
- ☐ A check in the amount of \$_____ to cover filing fee is enclosed.
- ☒ The Commissioner is hereby authorized to charge payment of any additional filing fees required under 37 CFR 1.16 and any patent application processing fees under 37 CFR 1.17 associated with this communication or credit any overpayment to Deposit Account No. 13-0206. A duplicate copy of this sheet is enclosed.
- ☐ I hereby petition under 37 CFR 1.136(a) for any extension of time required to ensure that this paper is timely filed. Please charge any associated fees which have not otherwise been paid to Deposit Account No. 13-0206. A duplicate copy of this sheet is enclosed.

July 18, 2003
 (Date)

SIGNATURE: Stephen T. Scherrer

ATTORNEY NAME: Stephen T. Scherrer
 REGISTRATION NO: 45,080

McDERMOTT, WILL & EMERY
 227 WEST MONROE STREET
 CHICAGO, ILLINOIS 60606
 tel.: (312) 372-2000
 fax.: (312) 987-7700

Docket No. 47440-037000

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Barich, et al., U.S. Patent Application)
No. 09/725,656)

Filed: November 29, 2000)

For: Railcar Maintenance Process)

Examiner: J. Cozart)

Group Art Unit: 3726)

Certificate of Mailing

I hereby certify that on July 18, 2003, this correspondence was
deposited with the United States Postal Service, first class mail,
addressed to:

Mail Stop Non-Fee Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450


Stephen T. Scherrer, Registration No. 45,080

AMENDMENT

Mail Stop Non-Fee Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Dear Sir:

The present amendment is submitted in response to the Office Action dated April
22, 2003. Please amend the application as indicated below and consider the following
remarks.